

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SCOTT K. SULLIVAN, et al.,	§	CAUSE NO. 4-20-cv-02236
	§	
Plaintiffs,	§	
	§	<i>Consolidated with:</i>
vs.	§	
	§	CAUSE NO. 4-21-cv-00658
STEWART A. FELDMAN, et al.,	§	&
	§	CAUSE NO. 4-21-cv-00682
Defendants.	§	

UNOPPOSED MOTION TO WITHDRAW AS COUNSEL AND BE REMOVED
FROM ELECTRONIC SERVICE LIST

John Zavitsanos of Ahmad, Zavitsanos & Mensing P.C. (“AZA”) (f/k/a Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.) respectfully moves for an order (1) recognizing the withdrawal of AZA, including attorney Zavitsanos, as attorneys of record for PoolRe Insurance Corporation (“PoolRe”) and its directors Stephen Friedman, Robert Snyder, and Dana Moore (collectively, the “Directors”); and (2) removing Zavitsanos from the electronic service list for this case.¹ In support of this motion, Zavitsanos and AZA shows as follows:

¹ AZA files this Unopposed Motion in Cause No. 4-20-cv-02236, under which Cause Nos. 4-21-cv-00658 and 4-21-cv-00682 have been consolidated. AZA has never appeared in Cause No. 4-20-cv-02236 proper, nor were PoolRe or the Directors named parties in that specific matter. AZA has appeared on behalf of PoolRe in Cause No. 4-21-cv-00658 and Cause No. 4-21-cv-00682 and on behalf of the Directors in Cause. No. 4-21-cv-00658; it is those appearances and representations from which AZA now moves to withdraw.

1. The Court previously granted AZA’s Unopposed Motion to Withdraw as Counsel on April 28, 2022. ECF No. 75. (“The Court GRANTS the motion and approves the withdrawal of AZA and all AZA attorneys, including Sammy Ford IV, Shawn Bates, and Ian Marshall Sander, as counsel for PoolRe and the Directors.”) That Order provided that the clerk “shall remove Messrs. Ford, Bates, and Sander—and all other AZA-affiliated persons—from the electronic service list.” *Id.* However, AZA attorney Zavitsanos remains on the electronic service list—probably because he was not expressly mentioned in the previous motion to withdraw. This motion simply seeks to confirm that Zavitsanos also be removed from the electronic service list and as counsel of record.
2. This motion seeks the additional withdrawal of Zavitsanos for the same reasons identified in the previous AZA motion to withdraw. *See* ECF No. 74.² Neither AZA nor any lawyer for AZA is presently counsel for PoolRe or the Directors. Neither AZA, nor any lawyer at AZA, was counsel for PoolRe at the time of filing of any pending motions before the Court. PoolRe and the Directors do not oppose Zavitsanos’s withdrawal.
3. Further, PoolRe and the Directors have obtained new counsel, Ben Foster of Foster Yarborough, PLLC, who has made an appearance in this matter.
4. PoolRe and the Directors have also resolved their disputes with the Plaintiffs Scott K. Sullivan, *et al.* Notice of the settlement has been filed with the Court. ECF No. 106.

² That motion, ECF No. 74, is incorporated as if fully stated herein.

5. This motion will cause no delays in this case. *See* S.D. Tex. L.R. 83.2 (“no delay will be countenanced because of a change in counsel . . .”). As previously mentioned, the claims by and between the Plaintiffs on the one hand and PoolRe and the Directors on the other hand have been resolved.

CONCLUSION

For the reasons stated above, AZA respectfully requests that the Court enter an Order withdrawing AZA, including its attorney John Zavitsanos and all other AZA attorneys, as counsel for PoolRe and the Directors and terminating electronic notices to Mr. Zavitsanos and all other AZA attorneys in the above-captioned matter(s).

Respectfully submitted,

AZA LAW

/s/ John Zavitsanos

John Zavitsanos

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Certificate of Service

On August 29, 2022, the foregoing instrument was served to all counsel of record via the Court’s electronic filing and notice system.

/s/ John Zavitsanos

John Zavitsanos

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SCOTT K. SULLIVAN, et al.,

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CAUSE NO. 4-20-cv-02236

Consolidated with:

CAUSE NO. 4-21-cv-00658

&

CAUSE NO. 4-21-cv-00682

[PROPOSED] ORDER

The Court has considered the Unopposed Motion to Withdraw as Counsel filed by John Zavitsanos and Ahmad, Zavitsanos & Mensing P.C. (“AZA”), formerly counsel for PoolRe Insurance Corporation, Stephen Friedman, Robert Snyder, and Dana Moore (collectively, “PoolRe and the Directors”). The Court **GRANTS** the motion and approves the withdrawal of AZA and all AZA attorneys, including John Zavitsanos, as counsel for PoolRe and the Directors. The clerk shall remove Mr. Zavitsanos—and all other AZA-affiliated persons—from the electronic service list.

It is so **ORDERED**.

Date

The Honorable Lee Rosenthal
Chief United States District Judge